



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

VIA UPS

DEC - 5 2016

Mr. Ronald Pozza
HSE Specialist
Solvay USA, Inc.
3440 Fairfield Road
Baltimore, MD 21226

Re: Notice of Violation
Compliance Evaluation Inspection
January 8, 2015

Docket No.: R3-17-NOV-RCRA-11

Dear Mr. Pozza:

On January 8, 2015, the U.S. Environmental Protection Agency, Region III ("EPA") conducted a Compliance Evaluation Inspection ("CEI") of Solvay USA, Inc. ("Solvay") located at 3440 Fairfield Road, Baltimore, MD 21226 (herein after referred to as "the Facility") under the federally authorized Code of Maryland Regulations ("COMAR") and the Resource Conservation and Recovery Act ("RCRA"), as amended, 42 U.S.C. Sections 6901 et seq. Based on the CEI, EPA determined that Solvay has violated regulations under COMAR and RCRA. As a result of this determination, EPA is issuing this Notice of Violation ("NOV") to the Facility. The specific violation(s) are

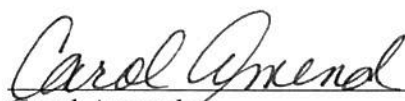
1. During the January 8, 2015 EPA CEI, the EPA inspector observed three cylindrical containers that contained spent universal waste lamps. Each of the containers was not labeled. Please refer to Photo #23 of the CEI report that was previously provided as Attachment A with EPA's May 12, 2016 information request letter. In accordance with 40 C.F.R. § 273.14(e), each container of universal waste lamps must be labeled with one of the following phrases: "Universal Waste-Lamp(s)," or "Waste Lamp(s)," or "Used Lamps(s)". Based on the information gathered during the EPA CEI, Solvay failed to properly label three containers of universal waste lamps.
2. During the January 8, 2015 EPA CEI, the EPA inspector observed two U-shaped spent lamps that were not accumulated in a container (Photo #25). Per 40 C.F.R. § 273.13(d)(1), universal waste lamps must be contained in containers or packages that should remain closed to prevent breakage and leakage. Based on the information gathered during the EPA CEI, Solvay failed to accumulate two spent universal waste lamps in containers.

Within **thirty (30) calendar days** of the receipt of this NOV, please submit documentation of any measures that the Facility has taken or is taking to achieve compliance with the violations noted above. If the compliance measures identified are planned or are ongoing, please provide a schedule for when the compliance measures will be completed. If the Facility can provide documentation which shows that EPA's determination of the alleged violation(s) is in error, please submit this information as well. Section 3008(a) of RCRA authorizes EPA to take an enforcement action whenever it is determined that any person has violated, or is in violation, of any requirement of RCRA as amended. Such an action could include a penalty of up to \$37,500 per day for each violation. In addition, failure to achieve and maintain compliance with the regulations cited in this NOV may be treated as a repeated offense and may constitute a "knowing" violation of Federal law.

This Notice of Violation is not intended to address all past violations, nor does it preclude EPA from including any ongoing, including the ones cited in this letter, or past violations in any future enforcement action. Your response to this NOV shall be addressed to:

Andrew Ma
U.S. Environmental Protection Agency - Region III
Environmental Science Center
701 Mapes Road
Fort Meade, MD 20755

If you have any questions regarding this matter, please feel free to contact Mr. Andrew Ma at (410) 305-3429.



Carol Amend
Associate Director
Land & Chemicals Division
Office of Land Enforcement

Dec 5, 2014
Date

cc: A. Ma (3LC70)
P. Belgiovane (3LC70)
B. Coblentz (MDE)